

REMARKS

Status Summary

In this Amendment, claims 17-20 and 29-34 are canceled. New claims 38-45 are added. Therefore, upon entry of this amendment, claims 1-16, 21-28, and 35-45 will be pending.

Claim Objections

Claims 29 and 35 were objected to as containing informalities. Claim 29 has been canceled. Therefore, the objection to this claim is now moot. Claim 35 has been amended as requested by the Examiner. Accordingly, the objection to claim 35 should be withdrawn.

Claim Rejection - 35 U.S.C. § 112

Claims 21-25 were rejected as indefinite. Claim 21 has been amended to recite in lines 5-8, "at least one token bucket refresh rate". Lines 13-15 in claim 21 recite that the at least one token bucket refresh rate corresponds to a first and a second token bucket refresh rate. Thus, the reference to "at least one token bucket refresh rate" now provides proper antecedent basis for the recitations of the token bucket refresh rates in the remainder of claim 21. Claims 22-25 depend from claim 21. Accordingly, the rejection of claims 21-25 as indefinite should now be withdrawn.

Allowable Subject Matter

Claims 1-16 and 35 are allowed. Claims 21-25 were indicated as allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph. Claims 21-25 have been amended to overcome the rejection. Accordingly, claims 21-25 should now be allowed.

Rejected claims, claims 17-20 and 29-34 have been canceled. Accordingly, the rejection of these claims is now moot.

New claims 38-45 are added. New claims 38-45 correspond to former dependent claims 18-20 and 30-34, except that the new claims depend from claim 21 or claim 35, both of which are allowed or allowable. Accordingly, these claims should now be allowed.

Claims 26-28 have been amended to depend from claim 21, which is now allowable. Accordingly, these claims should now be allowed.

Claims 36 and 37 have been amended to depend from claim 35, which is allowed. Accordingly, these claims should now be allowed.

Because all of the claims are allowed or allowable, a Notice of Allowance is respectfully requested.

CONCLUSION

In light of the above Amendments and Remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

Serial No.: 10/743,858

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any deficiencies of payment or credit any overpayment associated with the filing of this correspondence to Deposit Account No. **50-0426**.

Respectfully submitted,

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